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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/722,726

11/25/2003

Jason T. Osborne

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EXAMINER

ZHONG, JUN FEI

ART UNIT

PAPER NUMBER

2623

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/722,726	Applicant(s) OSBORNE, JASON T.	
	Examiner JUN FEI ZHONG	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is responsive to an Amendment filed 1/7/2008. Claims 1-24 are pending. Claims 1, 9, 17 are amended.

Response to Arguments

2. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silva, Jr. et al. (Pub # 2002/0056088 A1) in view of Alpdemir (Pub # US 2002/0035474 A1), further in view of Belcher (Patent # US # 3993955).

As to claim 1, Silva discloses a set-top box (e.g., set top box 20; Fig.1) manage content from web and TV for presentation on the video display (see paragraph 0019-0020; Fig. 1).

Silva fails to disclose user request information includes voice data.

Alpdemir discloses receiving an information request from a user, wherein the information request includes voice data (e.g., conversing caller's voice command text-based command);

searching a data network to extract content based on the information request (e.g., search database for the particular data item in response to the text-base command);

sending the extracted content to be displayed to the user (e.g., display user request information on display device 152) (see paragraph 0021, 0138, and 0139; Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the voice request as taught by Alpdemir to the television system of Silva in order to provide an operating model for a telephone-based audio or speech recognition and text to voice interfaced goods and services information (see paragraph 0020-0021).

Silva also discloses information can be sent from broadcaster to set top box within television signal (see paragraph 0056).

Both Silva and Alpdemir fail to disclose the set-top box to automatically switch to a cable television channel to display the extracted content.

Belcher discloses a set top box automatically switch to a cable television channel to display the extracted content (e.g., automatically tune to emergency channel when emergency signal is received) (see col. 1, lines 15-36; col. 4, line 67-col. 5, line 15)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the automatically tune as taught by Belcher to the television system of Silva as modified by Alpdemir in order to establish emergency communications between a master station and a remote station in a two-way cable television system wherein, upon a signal generated by the master station, the remote station operates to sound a local alarm or annunciator, turn on the remote television receiver, and tune the receiver to a predetermined emergency channel without any action being taken by the subscriber at the remote location (see col. 1, lines 53-62).

As to claims 9 and 17, they contain the limitations of claim 1 and are analyzed as previously discussed with respect to claim 1 above.

As to claim 2, Alpdemir discloses the method of claim 1, wherein receiving the information request from the user comprises receiving the information request via a public switched telephone system (PSTN) (e.g., user making a phone call over the PSTN) (see paragraph 0136; Fig. 1).

As to claim 3, Alpdemir discloses the method of claim 1, wherein receiving the information request from the user comprises receiving the information request via a wireless network (e.g., user making a wireless phone call) (see paragraph 0136; Fig. 1).

As to claim 4, Alpdemir discloses the method of claim 1, wherein the data network is the Intranet (e.g., internet) (see paragraph 0136; Fig. 1).

As to claim 5, Alpdemir discloses the method of claim 1, wherein the data network is a searchable medium capable of storing on-line information (e.g., internet is a searchable network, and information center 136 stores information) (see paragraph 0138).

As to claims 6 and 7, Alpdemir discloses the method of claim 1, wherein displaying the extracted content to the user via internet.

Alpdemir fails to disclose sending the extracted content to the set-top box via a cable television (CATV) network or a satellite network.

Silva discloses sending the content to the set-top box via a cable television (CATV) network (e.g., over cable communication link 60) or a satellite network (e.g., downlink 58) (see paragraph 0021; Fig. 1).

As to claim 8, Silva discloses displaying the extracted content to the user via the set-top box comprises displaying the extracted content to one or more of a television, a personal digital assistant (PDA), a printer, a laptop computer and a desktop computer via the set-top box (e.g., set top box send data with other devices; laptop and desktop are both computers) (see paragraph 0019 and 0032; Fig. 1).

As to claims 10-16 and 18-24, they contain the limitations of claims 2-8 and are analyzed as previously discussed with respect to claims 2-8 above.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rampey et al. (Patent # US 7,130,401 B2) is cited to teach speech to text conversion system.

Schaefer et al. (Pub # US 2002/0124252) is cited to teach information alert via television.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jun Fei Zhong whose telephone number is 571-270-1708. The examiner can normally be reached on Mon-Fri, 7:30-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Vivek Srivastava/

Supervisory Patent Examiner, Art Unit 2623